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RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC
RHMCSUU/EUCOM POLAD VAHINGEN GE
RUCNDT/USMISSION USUN NEW YORK 0010

Tuesday, 12 January 2010, 13:30

C O N F I D E N T I A L SECTION 01 OF 04 BELGRADE 000003

NOFORN

SIPDIS

AMEMBASSY ANKARA PASS TO AMCONSUL ADANA
AMEMBASSY ASTANA PASS TO AMCONSUL ALMATY
AMEMBASSY BERLIN PASS TO AMCONSUL DUSSELDORF
AMEMBASSY BERLIN PASS TO AMCONSUL LEIPZIG
AMEMBASSY BELGRADE PASS TO AMEMBASSY PODGORICA
AMEMBASSY HELSINKI PASS TO AMCONSUL ST PETERSBURG
AMEMBASSY ATHENS PASS TO AMCONSUL THESSALONIKI
AMEMBASSY MOSCOW PASS TO AMCONSUL VLADIVOSTOK
AMEMBASSY MOSCOW PASS TO AMCONSUL YEKATERINBURG
EO 12958 DECL: 2020/01/12

TAGS PGOV, PREL, KV, SR

SUBJECT: Post ICJ Opinion: Serbia to Continue Obstructing Kosovo

Independence

CLASSIFIED BY: Bradford J. Bell, Acting Economics Chief, US Department of State, Economics Section; REASON: 1.4(B), (D)

Summary

1. (C) We expect Serbia will continue to obstruct and undermine Kosovo's sovereignty in the lead up to and following the International Court of Law's decision in the Advisory Opinion on the legality of Kosovo's unilateral declaration of independence.

2. (C) Over the next several months as the ICJ deliberates, we expect Foreign Minister Jeremic to maintain an offensive posture and continue to obstruct the ICJ's process.

3. (C) The Serbian government expects the ICJ to deliver its opinion to the UN General Assembly by spring 2010. Media and analysts have speculated that the ICJ's opinion will be ambiguous and that Serbia will use this to its advantage.

4. (C) Serbian politicians, including influential Minister of Labor and Social Affairs Rasim Ljajic, have told us that Serbia cannot merely follow the ICJ's lead but must pose a real threat to the governing coalition. As a result, Serbian officials are now contemplating how vocal and obstructive the GoS should be in its response to the ICJ's findings.

5. (C) Over the past month several European interlocutors have stressed with President Tadic the need to move beyond Kosovo and to focus on Serbia's future. EU sources in Belgrade confirm that during his December 15 meeting with Tadic EU Director General for Foreign Affairs Robert Cooper encouraged thoughts of partition still in their heads.

6. (C) Tadic reportedly told Cooper that he recognized that there needed to be a degree of clarity and finality to any outcome, cognizant that the ICJ's opinion would be a critical factor in the future of the Balkans.

7. (C) Belgrade's Quint (U.S., UK, Germany, France, Italy) have frequently discussed the seriousness of Serbia's plans. Although listening to the ICJ's findings, the Quint remains committed to a diplomatic solution.

8. (C) Despite claims from MFA Political Director Borko Stefanovic that the MFA is seeking a way out of its Kosovo strategy post ICJ, we believe FM Jeremic intends to continue to obstruct the ICJ's process.

9. (C) Under Jeremic's scenario we expect Serbia would aim to reopen negotiations on Kosovo's status. The MFA would likely not seek direct talks with the EU's Carrots and Sticks.

10. (C) While no EU state expects Serbia to recognize Kosovo, Serbia's EU path will remain muddled without recognizable and accepted borders and a clear U.S. approach.

11. (C) The arrival of the new U.S. Ambassador, coupled with two upcoming CODELS (Voinovich and Pomeroy), may provide the USG excellent opportunity to comment on the ICJ's findings.

12. (C) If Belgrade follows the path that President Tadic appears to favor, Serbia will be able to move forward with EU integration while still maintaining its EU aspirations. In either case, we must snuff out any further roundabout talk on partition by both President Tadic and Foreign Minister Jeremic.

13. (C) We must use the next few months before the ICJ issues its opinion to press Tadic to put the battle for Kosovo behind him once and for all.

14. (C) Any strategy must include a coordinated statement from Washington and European capitals at the highest levels that Kosovo's partition is not an option.